

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
January 22, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., January 22, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman; Andy Kunasek, Vice Chairman; Max W. Wilson and Mary Rose Wilcox (entered late). Absent: Don Stapley. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Bill Scalzo, Chief Community Services Officer, delivered the invocation.

PLEDGE OF ALLEGIANCE

Eve Murillo, Auditor's Office, led the assemblage in the Pledge of Allegiance.

CODE ENFORCEMENT REVIEW – DONALD HUTMAN - CONTINUED

This is the time scheduled for oral arguments in the review of Hearing Officer's Orders of Judgement in the zoning code violation case of Donald Hutman, 34515 West Baseline Road, Parcel No. 401-42-010F (west half), Case No. V2001-0718. (Continued from meetings of September 18, 2002 and January 8, 2003.) (ADM3417-12)

Supervisor Kunasek explained that Supervisor Wilcox had asked for more time for the owner to bring this property into compliance, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to continue this matter to February 5, 2003.

CODE ENFORCEMENT REVIEW – LEO R. LEROY - CONTINUED

This is the time scheduled for oral arguments in the review of Hearing Officer's Orders of Judgement in the zoning code violation case of Leo R. Leroy, 34515 West Baseline Road, Parcel No. 401-42-010F (east half), Case No. V2001-0041. (Continued from meetings of September 18, 2002 and January 8, 2003.) (ADM3417-13)

Supervisor Kunasek explained that Supervisor Wilcox had asked for more time for the owner to bring this property into compliance, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to continue this matter to February 5, 2003.

CODE ENFORCEMENT REVIEW – RAY AND JOYCE ROSS

This is the time scheduled for oral arguments in the review of Hearing Officer's Orders of Judgement in the zoning code violation case of Ray and Joyce Ross, Case No. V2001-00004. (Continued from meeting of January 8, 2003.) (ADM3417-16)

Joy Rich, Director of Planning and Development, said this case involves debris and equipment stored in a yard and that there was also the possibility of a business being conducted on the premises. The original violation notice was sent in January 2001. At the enforcement hearing the Hearing Officer levied a \$300 non-compliance fine and a \$30 per diem fine on Mr. and Mrs. Ross, the property owners, until compliance was achieved. In September 2002, when Mr. Ross brought the site into compliance interest on the fine had increased the total amount owed to approximately \$15,000. Mr. Ross has already paid \$300 towards this total amount. Ms. Rich said that Mr. Ross' son-in-law, Lee Richmond, became involved late in the

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process. He asked the Hearing Officer to modify the fine to a total of \$750 but the Hearing Officer did not consent to the request for a reduction.

Mr. Richmond, was present to speak for his father-in-law and said that Mr. Ross is a farmer and that he does not read. If he could read he believes Mr. Ross would have learned that he could get an extension of time to bring the property into compliance and the large fine wouldn't have accrued. He indicated that it took two years to clean the property of an accumulation of some heavy equipment that had taken 14 years to collect. He explained that he'd been told that the County's main concern was to get the property cleaned up, which has been done. He asked the Board for a reduction or dismissal of the fine.

Chairman Brock verified that \$300 of the fine had already been paid.

Supervisor Kunasek agreed that the County's goal was to obtain compliance and not for punitive damages and he believed that some diligent work had been done to accomplish this task.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the \$300 already paid as payment in full, waiving the remainder of the fine and to close the case.

LIQUOR LICENSE APPLICATION

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson and seconded by Supervisor Kunasek, to recommend approval of the following liquor license application filed by Fay Louise Stewart for a Temporary Extension of Premises/Patio Permit: (ADM664)

Business Name:	Desert Rose
Location:	18300 South US Highway 80, Arlington
Date:	Saturday, February 8, 2003

Motion carried by majority vote (2-1-2) with Supervisors Kunasek and Wilson voting "aye," Supervisor Brock voting "no" and two members were absent.

ROAD DECLARED (ROAD FILE NO. A215-R)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) that the following resolution be adopted: (C64031285) (F23060)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 18th day of December, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 50 foot roadway, together with all appurtenances and easements of record, lying within the South half of the Southeast quarter (S2SE4) of Section Thirty (34) in Township Two (2) South, Range Six (6) East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said roadway being 25 feet on each side of the following described centerline:

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Beginning at the Southwest corner of the North half of the South half of the Southeast quarter N2S2SE4 of Section 34; Thence, East along the South line of said N2S2SE4 to the terminus of the herein described centerline at the Southeast corner of said N2S2SE4.

(Said alignment is also known as Stacey Road, from 164th Street to Higley Road.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 22nd day of January 2003.

ROAD DECLARED (ROAD FILE NO. A265)

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) that the following resolution be adopted: (C64031315) (F23103)

WHEREAS, pursuant to A.R.S. §18-201 through 18-203, on the 18th day of December, 2002, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

A 50 foot roadway, together with all appurtenances and easements of record, lying within the Northwest quarter of the Northeast quarter (NW4NE4) of Section Thirty-four (34), in Township Six (6) North, Range Three (3) East, of the Gila and Salt

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River Base and Meridian, Maricopa County, Arizona, said roadway being described as follows:

The West 50 feet of said NW4NE4 of said Section 34;

(Said alignment is also known as 20th Street from End of Maintenance to Joy Ranch Road.)

WHEREAS, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in The Arizona Business Gazette; and

WHEREAS, no objections to the establishment, opening and declaration of said highway have been filed; and

WHEREAS, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

BE IT FURTHER RESOLVED that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

BE IT FURTHER RESOLVED that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

BE IT FURTHER RESOLVED that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

DATED this 22nd day of January 2003.

FILING OF AN APPEAL IN MARCIOPA COUNTY V. MOUNTAIN SKYLINE 62 LLC

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the filing of an appeal in Maricopa County v. Mountain Skyline 62 L.L.C., from the decision rendered by the State Board of Equalization. (Discussed in Executive Session on December 16, 2002.) (C1903034M) (ADM704)

AMENDMENT TO INTERGOVERNMENTAL AGENCY AGREEMENT WITH PIMA COUNTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Amendment No. 1 to the Intergovernmental Agency Agreement (IGA) between Pima County

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and the Maricopa County Sheriff's Office, which extends the term of the agreement through June 30, 2003. The High Intensity Drug Trafficking Area (HIDTA) program is sponsored/funded by the Office of National Drug Control Policy (ONDCP). This year \$394,872 was awarded to the Sheriff's Office in an effort to combat the growing drug problem. Pima County Sheriff's Office is the pass through grant administrator. These grant funds are to support and enhance activities intended to deter, investigate, and/or prosecute drug offenders. The original term of the agreement was October 1, 2001, through December 31, 2002. Extending the ending date to June 2003 will allow the Sheriff's Office time to utilize the funds awarded. (C5002069301)

WAIVER TO EMPLOYEE LEAVE PLAN

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a waiver to the Maricopa County Employee Leave Plan V & VI, for Sergeant Matthew Williams, who was seriously injured through no fault or negligence of his own, while on assignment December 10, 2002. Authorize payment of normal base salary and benefits to the employee for duration of up to one year or return to full duty, whichever is earlier, to begin December 10, 2002. (C5003049M) (ADM3320)

REIMBURSEMENT AGREEMENT WITH DRUG ENFORCEMENT ADMINISTRATION

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the reimbursement agreement between the Maricopa County Sheriff's Office and the Drug Enforcement Administration (DEA) for reimbursement of \$57,200 for salaries and employee-related expenses of one Supervisory Records Examiner/Analyst, for participation in the Arizona Methamphetamine Program. This position is funded through a grant from the Bureau of Justice Assistance (BJA) administered by the Sheriff's Office. The Board of Supervisors approved acceptance of \$500,000 in grant funding for this program on July 24, 2002, C50030213. The term of the agreement is from January 1, 2003, through December 31, 2003. (C50035333)

REIMBURSEMENT AGREEMENTS WITH CHANDLER, GLENDALE, MESA POLICE DEPARTMENTS AND ARIZONA DEPARTMENT OF PUBLIC SAFETY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the reimbursement agreements between the Maricopa County Sheriff's Office and the Chandler, Glendale, Mesa Police Departments, and the Arizona Department of Public Safety, whereby one police officer from each agency will be assigned to the Arizona Methamphetamine Program. The funding will be used to reimburse these agencies for salaries and employee related expenses. These positions are funded through a grant from the Bureau of Justice Assistance (BJA) administered by the Sheriff's Office. The Board of Supervisors approved acceptance of \$500,000 in grant funding for this program on July 24, 2002, C50030213. The term of these agreements is from January 1, 2003, through December 31, 2003. (C50035343)

AGREEMENT WITH ATTORNEY GENERAL'S OFFICE, DEPARTMENT OF LAW, STATE OF ARIZONA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an agreement with the Attorney General's Office, the Department of Law, State of Arizona and the acceptance of up to \$50,000 in grant funding from the Attorney General's Youth Anti-Tobacco Program. The term of the agreement is January 22, 2003, through June 30, 2003. This grant furthers the use of investigative services of the Maricopa County Sheriff's Office to conduct unannounced inspections

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of Maricopa County retail establishments that sell tobacco products to determine if tobacco is being sold to minors. The Attorney General will reimburse the Sheriff's Office on a monthly basis for the hours of service rendered by its officers at the officers' overtime rate and will also reimburse other expenses or services necessary to accomplish the purpose of this agreement. (C50035353)

SOLE SOURCE PROFESSIONAL AGREEMENT WITH LIEBERT & ASSOCIATES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a sole source professional agreement with Liebert & Associates (in association with Pulitzer/Bogard Associates & Jon Bosch) to provide staffing analyses for the adult jails, the juvenile detention facilities, and Correctional Health Care. Also approve the expenditure and transfer of not-to-exceed \$250,000 from the Appropriated Fund Balance, Detention Fund Contingency to Appropriated Fund Balance, Detention Fund, Other Detention Fund Programs for a new program, "Jail and Detention Facilities Staffing Study," to cover the costs of the analyses, including travel. A sole source procurement is justified for this project due to the need to have results for the 2003-2004 budget development cycle. Liebert & Associates were part of the consultant team who prepared the Jail Master Plan in 1997. Therefore they have knowledge and information that is unique to that firm, which will expedite the analysis process. The project will not exceed \$250,000 including travel. The consultant will be provided with the County's travel policy which identifies maximum allowances for per diem reimbursement rates. (C50035361)

BULLETPROOF VEST PROGRAM GRANT FUNDING

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve grant agreement accepting grant funding for four bulletproof vests for constables from the Arizona Attorney General in the amount of \$607.99. Four vests will be purchased for Constables and Deputy Constables who work in high-risk areas. (C20030090)

INCREASE IN REVENUE AND EXPENDITURE BUDGET OF THE FILL-THE-GAP FUND - WITHDRAWN

Item: Approve an increase in the revenue and expenditure budget of the Fill-the-Gap Fund of \$88,920, from \$815,868 to \$904,788 for FY 2002-2003. The "non-local" revenues for the Fill-the-Gap Fund are budgeted appropriately at \$362,788 for FY 2002-2003. The County fine collection portion is currently budgeted at \$453,080. The adjustment requested applies to the local grant funds for "Aid to Indigent Defense." By approving this item, the Board will be authorizing an increase in the revenue and expenditure appropriation authority for the Fill-the-Gap Fund by \$88,920. These are local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of the funds may be prohibited by the budget law. This budget adjustment does alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C52030013)

This item was withdrawn.

REJECT CLAIM DEMANDS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to reject claim demands (December 2002) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S. §11-622 (claims not having been filed within six-months after the

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last item of the account accrues). (ARS §11-629 \$495,152.22 and ARS §11-622 \$5,576.78)
(C39030087) (ADM1804)

**MONTHLY SUMMARY REPORT
December 2002**

Vendor	Amb., Doctors, Hosp. Ars 11-629	Over Six Months Ars 11-622
Advanced Cardiac Specialists	768.00	0.00
Center For Neurology & Stroke	550.00	0.00
Clinical Diagnostic Radiology	578.00	0.00
Emergency Physicians Prof Asso	680.00	0.00
Emergency Professtional Svcs Pc	100.32	0.00
Le Pham, Thai, M	1,365.00	0.00
Maricopa Health Systems	244,751.79	1,294.98
Maryvale Emergency Physicians	165.00	0.00
Medpro	65,604.15	4,281.80
Meeks, Robert J. Md	275.00	0.00
Phoenix Memorial Hospital	148,705.38	0.00
Rural Metro Ambulance	903.93	0.00
Snyder, Alan R. Md	114.00	0.00
Sonora Quest Laboratories	282.85	0.00
Sonoran Spine Center	447.00	0.00
St Josephs Hosp Arizona	28,408.00	0.00
St Luke's Medical Center	1,199.05	0.00
Tep @ Phoenix St Luke's	254.75	0.00
Grand Totals:	495,152.22	5,576.78
Restitution	0.00	
Totals Denials:	500,729.00	

PERSONNEL AGENDA, JUDICIAL BRANCH AND MARICOPA COUNTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the Personnel Agenda (Judicial Branch and Maricopa County) (List on file in the Clerk of the Board's Office.).

FUND TRANSFERS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

SOLICITATION SERIALS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the following solicitation serial items. The action on the following items is subject to County

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Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Increase in the contract amount for the following contract(s). This is due to an increased usage by County departments.

01012-RFP OUTSIDE AUDIT, ACCOUNTING AND CONSULTING SERVICES

Recommendation was for the value of this contract be increased from \$1,200,000 to \$3,200,000. This \$2,000,000 increase is requested by the Healthcare Mandates Department as the result of an underestimation of consulting services expenditures to meet mandated requirements for review and revision of operation processes at the Maricopa Medical Center. There is no increase in contract rates.

In accordance with section 3.1 of the contract, it was also recommended that Deloitte Consulting LP be added to this contract. Deloitte Consulting LP is a new company formed by Deloitte and Touche LLP to separate their consulting from auditing services.

The Board initially approved this contract on June 20, 2001.

- Arthur Andersen
- Deloitte & Touche, LLP
- Zolondek Strassels Greene & Freed, PC
- Deloitte Consulting, LP

SETTLEMENT OF HYSLOP v. MARICOPA COUNTY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve settlement of Hyslop v. Maricopa County, CV1998-011828 in the amount of \$175,000. (Discussed in Executive Session on September 16, 2002.) (C75030080) (ADM409)

HERITAGE FUND GRANT FROM ARIZONA STATE PARKS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the awarded Heritage Fund Grant from Arizona State Parks. The award is for \$39,000 and will be utilized for the renovation of the Goat Camp Trail in White Tank Mountain Regional Park during FY 2004. Under authorization of Resolution C3000007, the Parks and Recreation Department applied for a Heritage Fund Grant administered by Arizona State Parks. Parks & Recreation will renovate a rugged section of the Goat Camp Trail in White Tank Mountain Regional Park so that it complies with the department's trail standards. The total cost of the trail project is estimated at \$78,400. The Heritage Fund Grant will pay for \$39,000 (50%) and Parks and Recreation will provide matching funds of \$39,400 (50%). The matching funds will be budgeted in the 2004 budget for enhancement fund expenditures. The majority of the matching funds are associated with labor costs to build the trail. (C30030113)

PILOT PROGRAM AND GRANT APPLICATIONS FOR FY 2002-2003

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a pilot program to apply for grants for the FY 2002-2003 period, granting signature authority for applications to the Department Director. If a grant award is made, authority to accept the funds will remain with the Board of Supervisors. This will simplify the process of applying for grants since the department will not require a Board action for each application. This will be a six-month pilot program at

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the end of which time the Parks and Recreation Department shall report back to the Board of Supervisors with information about the pilot program, including: (C30030123) (ADM3200)

- Number of grants applied for, and from whom
- Dollar amount of the grants
- Dollar amount received
- Approximate staff time devoted to each application

EASEMENT FOR ARIZONA PUBLIC SERVICE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve and execute an easement for Arizona Public Service (APS) that allows for electrical service to Paradise Valley Park ball fields. The City of Phoenix added ball field lighting on Paradise Valley Park property in accordance with the Paradise Valley Park Management Agreement, CS901003, dated September 6, 1989. (C30030130) (ADM3231)

ADDITION TO FLEET OF THREE VEHICLES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the authorization to expand the Environmental Services vehicle fleet with the purchase of three vehicles at a cost of \$95,000. The replacement vehicles will be equipped for alternative fuel. The funding to purchase these vehicles will be from the Center for Disease Control's Bio-Terrorism Grant. Expenditures required to operate these vehicles will also come from the same grant funding. (C8803029M) (ADM3100)

Tom Waldbillig, Environmental Services, was present to answer any questions but there were none.

CONTRACT WITH ARIZONA BOARD OF REGENTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve a contract with the Arizona Board of Regents on behalf of the University of Arizona - Services Research Office, a community-based service and evaluation center, to provide Healthy Connections services. The term of the contract is from October 1, 2002, to September 30, 2003, for a dollar amount not-to-exceed \$80,310. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent administrative amendments related to this grant. By approving this agenda item, the Board will also authorize a budget amendment to increase MCDPH's revenue and expenditure levels for FY 2003 by \$60,233. The remaining \$20,077 will be incorporated into the FY 2004 budget. (C86030952)

NEW PARTIAL SERVICE LEASE WITH THE JOHN W. FOUNTAIN REVOCABLE LIVING TRUST

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve and execute a new partial service Lease No. L7326 with The John W. Fountain Revocable Living Trust, Lessor for a 1,935 square foot Healthy Start Office/classroom facility located at 303 East Baseline Road, No. 104, Phoenix, AZ 85042. The lease term is for two years commencing October 1, 2002, and terminating on September 30, 2004. The Lessor is responsible for the payment of all utility services and the County is required to pay \$650 per month as its share of the total building operating expenses. (C86031014)

CONTRACT WITH DURRANT OF PHOENIX

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve and authorize the execution of the first phase of Contract CFD 02-01, with Durrant of Phoenix, Arizona, in substantially the form attached, subject to review by the Maricopa County Attorney and final signature by the Chairman of the Board of Supervisors, in an amount not-to-exceed \$385,000. The first phase of this contract is to provide Master Plan and Implementation Plan services related to the Downtown Development project located in the four-block area bounded by Jefferson, Madison, 5th Avenue, and 7th Avenue with a total approved budget for this project of \$50,000,000. The first phase is scheduled to take four months. The second phase, if adopted, would extend the contract with Durrant to provide construction documents and construction oversight services. The second phase will be presented for Board of Supervisors approval prior to proceeding. (C40030085)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. List on file in the Office of the Clerk of the Board of Supervisors. (ADM2007)

- | | |
|-------------------|---|
| A095.023
(AC) | Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 200-08-132 - Wess Murphy Jr. and Margaret Ann Murphy - for the sum of \$3,563.00. |
| A095.023
(AC) | Project No: 69010 - Daley Lane (89th Avenue - 87th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 200-08-132 - Wess Murphy Jr. and Margaret Ann Murphy. |
| A117.010
(AC) | Project No: 69010 - Cheyenne Road (207th Avenue Align. - Tuthill Road) – Easement and Agreement for Highway Purposes - Parcel No. 400-52-916J - David E. Young and Raebeth Young - for the sum of \$3,050.00. |
| A117.010
(AC) | Project No: 69010 - Cheyenne Road (207th Avenue Align. - Tuthill Road) – Purchase Agreement and Escrow Instructions - Parcel No. 400-52-916J - David E. Young and Raebeth Young. |
| A221.002
(LJS) | Project No: 23012561 - 27th Avenue (Estrella Avenue to Photo View Road) - Application for a Right-of-Way - State Land Department State of Arizona. |
| A250.008
(AC) | Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) – Easement and Agreement for Highway Purposes - Parcel No. 503-30-025Z - Richard A. Cuevas and Lucy Cuevas - for the sum of \$3,333.00. |
| A250.008
(AC) | Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) – Purchase Agreement and Escrow Instructions - Parcel No. 503-30-025Z - Richard A. Cuevas and Lucy Cuevas. |
| A250.013
(AC) | Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) – Easement and Agreement for Highway Purposes – Parcel No. 503-30-026W - Richard Ramirez and Bertha Ramirez - for the sum of \$3,873.00. |

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- A250.013 (AC) Project No: 69010 - 239th Avenue (Jomax Road - Patton Road) - Purchase Agreement and Escrow Instructions – Parcel No. 503-30-026W - Richard Ramirez and Bertha Ramirez.
- AZA-31794 (TS) Project No: Lake Pleasant Park Roads - Right-of-Way Grant/Temporary Use Permit - United States Department of the Interior Bureau of Land Management.
- DD-9361 (TS) R/W Dedication - Easement and Agreement for Highway Purposes – Parcel No. 503-57-004F & 4E - Rojelio A.Sanchez and Arcelia Sanchez - for the sum of \$10.00.
- DD-9408 (TS) R/W Dedication - Easement and Agreement for Highway Purposes – Parcel No. 218-30-096F - James R. Wright and Deborah Wright - for the sum of \$10.00.
- DD-9408 (TS) R/W Dedication - Purchase Agreement and Escrow Instructions – Parcel No. 218-30-096F - James R. Wright and Deborah Wright.
- W-5599 (LJS) Project No: 16021 - Broadway Road (Salome Highway to 339th Avenue) – Easement and Agreement for Highway Purposes – Parcel No. 504-33-033C – Herman C. Riefkohl and Karen K. Riefkohl - for the sum of \$1,675.00.
- W-5599 (LJS) Project No: 16021 - Broadway Road (Salome Highway to 339th Avenue) - Purchase Agreement and Escrow Instructions – Parcel No. 504-33-033C - Herman C. Riefkohl and Karen K. Riefkohl.
- X-0908 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Warranty Deed - Parcel No. 500-06-049G - Quick Seed and Feed Company - for the sum of \$8,160.00.
- X-0908 (LJS) Project No: 68960 - MC-85 (Cotton Lane to Estrella Parkway) - Purchase Agreement and Escrow Instructions - Parcel No. 500-06-049G - Quick Seed and Feed Company.

CHANGE ORDER TO CONTRACT WITH KIRKHAM MICHAEL CONSULTING ENGINEERS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Change Order No. 4 to Contract No. CY 2001-39 with Kirkham Michael Consulting Engineers in an amount not-to-exceed \$68,364.13 for the PM 10 Roads, Phase 3 project in the West Valley, Work Order No. 16215. This change order will increase the total contract amount by \$68,364.13, revising the total contract amount to \$582,139.80. This change order is required to increase the contract amount for construction administration services and to include ¼ mile of survey on Daley Lane from 87th Avenue to 89th Avenue. The contract performance period shall be extended through March 31, 2003. (C6401289504)

CONSULTANT SERVICES CONTRACTS WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve consultant services contracts with Parsons Brinckerhoff Quade & Douglas, Inc., as follows:

- a) Contract No. CY 2003-37, in an amount not-to-exceed \$34,229 for the preparation of a Design Concept Report for the MC 85, El Mirage Road to 115th Avenue Project, Work Order No. 69042. (C64031335)

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- b) Contract No. CY 2003-38, in an amount not-to-exceed \$61,603 for the preparation of a Design Concept Report for the Pinnacle Peak Road, Lake Pleasant Road to 83rd Avenue Project, Work Order No. 69045. (C64031345)

INTERGOVERNMENTAL AGREEMENTS WITH CITY OF PEORIA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Intergovernmental Agreements with the City of Peoria for traffic signal design and installation at the following intersections. The County will act as the lead agency for the projects.

- a) Union Hills Drive and 107th Avenue. The City of Peoria will contribute \$100,000 towards the project under Work Order No. 30910. The City agrees to remit payment to the County within 30 days of receipt of an invoice for \$100,000; issue a no cost permit to the County for work within the City right-of-way; and review County plans, drawings or specifications for the project in a timely manner (within 15 working days.) (C64031462)
- b) Olive Avenue and 111th Avenue. The City of Peoria will contribute \$25,000 towards the project under Work Order No. 69035, completed in fiscal year ending June 30, 2003. The City agrees to remit payment to the County within 30 days of receipt of an invoice, in the amount of \$25,000 as their total financial contribution to the project and issue a no cost permit to the County for work within the City right-of-way. (C64031482)

ON-CALL CONSULTANT SERVICES CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an on-call consultant services contract for Intelligent Transportation Systems Support services with Kimley-Horn and Associates, Inc., Contract No. CY 2003-34 in an amount not-to-exceed \$125,000 during the contract period with an option to renew for an additional one-year contract performance period. The contract shall be in effect from the date of execution through December 31, 2003. (C64031495)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF SCOTTSDALE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve an Intergovernmental Agreement with the City of Scottsdale. This IGA is regarding the AZTech Smart Corridors Program and requires the City to assume operations and maintenance of all smart corridor equipment that will be constructed within the City by Maricopa County. (C64031502)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

APPOINT PEGGY ALLEN

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Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to appoint Ms. Peggy Allen as Chairman to the Correction Officer's Retirement Plan Local Board, as the Chairman's designee replacing Susan Schuerman. (C01030077) (ADM3332-001)

RESIGNATION OF CLANCY JAYNE

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to accept the resignation of Clancy Jayne, effective January 9, 2003, from the Planning and Zoning Commission, and appoint Gerard "Jerry" Aster, representing District 3. Mr. Aster will complete the term to expire on December 17, 2005. (C03030027) (ADM3415)

HEARING SET - DEANNEXATION/ANNEXATION

Pursuant to A.R.S. §9-471.02, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing for 9:00 a.m., Wednesday, February 19, 2003, regarding ordinances filed by the Town of Paradise Valley and the City of Scottsdale deannexing and annexing certain territory within their present corporate limits. The Town of Paradise Valley will deannex and the City of Scottsdale will annex a strip of land located on the west side of Scottsdale Road between Indian Bend and Mountain View Roads, 7.6 acres more or less. (ADM4214)

HEARING SET - SUPERIOR COURT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing for 9:00 a.m., Wednesday, February 19, 2003, in accordance with A.R.S. §11-251.08, to consider an increase in the fee for the Superior Court's Self-Service Center forms and instructions production (FIP Fee) to \$4.00 per process step from the current fee of \$2.00 per process step. The fee will continue to be deposited by Court staff in a special revenue fund with the County Treasurer. The proposed increase is necessary to defray the costs related to the production of Self-Service Center forms and instructions, and does not exceed the actual cost of the production and distribution of said products to the public. The fee increase will take effect on March 1, 2003. There is an impact on the County's expenditure limit as a result of the approval of this item. However, the Court has the flexibility within its existing special revenue budget to cover the increase in expenditures. (C38030138) (ADM1005)

HEARING SCHEDULED - PLANNING AND ZONING CASES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for February 5, 2003, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2000-095; Z2000-097; Z2002-126; DMP2000-06

MINUTES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve minutes of the Board of Supervisors meetings held September 30 and December 18, 2002 and January 2 and 10, 2003.

PRECINCT COMMITTEEMEN

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There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE – CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize the Official Appointments and Oaths of Office of Daniel R. Arreola, Lori Dennison, Ken Kung, and Lesley Winquist, as special deputy clerks in the Office of the Clerk of the Superior Court.

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE - OFFICE OF THE COUNTY ATTORNEY

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to authorize the Official Appointment and Oath of Office of Keith E. Vercauteren, as special deputy county attorney in the Office of the County Attorney.

SECURED TAX ROLLS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From No.	To No.	Net Result
1999	7162	7167	-\$9,225.36
1999	7169	7171	-\$2,825.42
2000	10069	10141	-\$22,962.86
2001	34744	34790	-\$65,286.80
2001	34791	34850	-\$75,259.92
2001	34851	34881	-\$9,819.00
2002	7616	7877	-\$1,195,474.32

SPECIAL DISTRICT'S ANNUAL REPORTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to direct the Clerk of the Board of Supervisors to: (ADM4300-006)

- a) Prepare a report as outlined in ARS §48-251 regarding special district's annual reports and authorize the Clerk of the Board of Supervisors to submit the report to the president of the senate, the speaker of the house of representatives and the governor,
- b) Notify each district not in compliance with the reporting requirement to comply within thirty days after receipt of notice by certified mail and inform the districts of the civil penalties to be imposed if the district fails to comply,
- c) Assess penalties pursuant to ARS §48-251(G) to be collected by the County Treasurer and deposited in the county general fund.

CANVASS OF ELECTION SUBMITTED BY ELECTRICAL DISTRICT NO. 7

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0-1) to accept the canvass of the election submitted by Electrical District No. 7 and on file in the Office of the Clerk of the Board. (ADM4470)

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DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

Name	Warrant	Fund	Amount
MC Superior Court	330520743	Expense	\$4,500.00
Barbara A. Ehret	C035865	Payroll	\$75.00
Douglas Mitchell	620112494	Mileage/Fees Reimb.	\$22.77
Dorothy Elaine Lonson	C029416	General	\$75.00
Richard Mueller III	036493	Payroll	\$826.16
David Nichols	620128808	Mileage/Fees Reimb.	\$67.32
Tasha Woods	C500632	Payroll	\$50.00

SCHOOL

Name	School	Warrant	Amount
Dick Blick	Buckeye Union	430053905	\$1,419.64
Marion Chavez	Isaac #5	130084485	\$744.25
John Enkoji	Alhambra	130082107	\$517.16
Kristin Glasser	Alhambra #68	130082281	\$266.69
Monica Godfrey	Buckeye Union	430015630	\$431.38
Borders Group Inc	Alhambra	420147020	\$646.87
Kristie Hays	Mesa	730032251	\$320.99
Alex J. Martinez	Mesa	730033870	\$93.99
Connie L. Mickelson	Mesa	730029449	\$1,653.40
Lora Valencia/Robert Opetz	Isaac #5	130084351	\$1,087.97
Dorothy Pettikas	Litchfield #79	1371095	\$171.96
Arizona State University	Roosevelt #66	420144390	\$400.00

STALE DATED WARRANTS

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Emad Abushanah	\$352.27
Wilma Dean Arana-Alarcon	\$30.63
Moshe Morton Apelas	\$1,055.00
Janette Anderson	\$1,507.03
R. E. Brown Jr.	\$36.42
Karen Sue Chance	\$66.52
Lawrence M. Coss	\$1,427.35
Shannon Cusimano	\$25.77

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Gary Heimbach	\$3,251.63
Gary Heimbach	\$81.29
Robert R. Weaver	\$16.01

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the settlement of tax cases, list dated January 22, 2003. (ADM704)

2000

2001/2002

TX 01-000651

TX 01-000488

2001/2002/2003

TX 01-000613

2002

ST 02-000093

ST 02-000102

TX 01-000656

TX 02-000004

2003

ST 02-000024

ST 02-000025

ST 02-000026

ST 02-000068

ST 02-000098

ST 02-000107

2003/2004

CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to approve the Assessor's recommendations to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
103-22-052	2000	Elizabeth Baker	LC/4	LC/3
103-22-052	2001	Elizabeth Baker	LC/4	LC/3
103-22-052	2002	Elizabeth Baker	LC/4	LC/3
116-28-119	2002	Rigue B Hernandez	LC/4	LC/3
142-54-507	2002	Viola Keck	LC/4	Mixed
142-70-252	2000	Ona L Ralston	LC/4	LC/3
142-70-252	2001	Ona L Ralston	LC/4	LC/3
142-70-252	2002	Ona L Ralston	LC/4	LC/3
149- 63 628	2000	Marilyn D Tomi	LC/4	LC/3
149- 63 628	2001	Marilyn D Tomi	LC/4	LC/3
149- 63 628	2002	Marilyn D Tomi	LC/4	LC/3
159-22-178A	2000	Anna M Balash	LC/4	LC/3
159-22-178A	2001	Anna M Balash	LC/4	LC/3
159-22-178A	2002	Anna M Balash	LC/4	LC/3

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160-04-016	2000	Judy Huntley	LC/4	LC/3
160-04-016	2001	Judy Huntley	LC/4	LC/3
160-04-016	2002	Judy Huntley	LC/4	LC/3
170-30-065	2002	Floyd Rommel	LC/4	LC/3
173-26-095	2002	Stuart Zigler	LC/4	Mixed
174-27-126	2000	David Vostrejs	LC/4	LC/3
174-27-126	2001	David Vostrejs	LC/4	LC/3
174-27-126	2002	David Vostrejs	LC/4	LC/3
175-12-016	2000	Ashton D	LC/4	LC/3
175-12-016	2001	Ashton D	LC/4	LC/3
175-12-016	2002	Ashton D	LC/4	LC/3
200-58-593	2000	Mary L Michaels	LC/4	LC/3
200-58-593	2001	Mary L Michaels	LC/4	LC/3
200-58-593	2002	Mary L Michaels	LC/4	LC/3
200-80-291A	2000	Margaret A Johnson	LC/4	LC/3
200-80-291A	2001	Margaret A Johnson	LC/4	LC/3
200-80-291A	2002	Margaret A Johnson	LC/4	LC/3
200-80-563	2000	Dorothy Chapman	LC/4	LC/3
200-80-563	2001	Dorothy Chapman	LC/4	LC/3
200-80-563	2002	Dorothy Chapman	LC/4	LC/3
200-82-149	2000	Ruth Harris	LC/4	LC/3
200-82-149	2001	Ruth Harris	LC/4	LC/3
200-82-149	2002	Ruth Harris	LC/4	LC/3
200-82-257	2000	Richard Martin	LC/4	LC/3
200-82-257	2001	Richard Martin	LC/4	LC/3
200-82-257	2002	Richard Martin	LC/4	LC/3
200-82-583	2000	Esther Peterson	LC/4	LC/3
200-82-583	2001	Esther Peterson	LC/4	LC/3
200-82-583	2002	Esther Peterson	LC/4	LC/3
200-83-083	2000	Van A Scholes	LC/4	LC/3
200-83-083	2001	Van A Scholes	LC/4	LC/3
200-83-083	2002	Van A Scholes	LC/4	LC/3
200-86-272	2000	Ramona McCoy	LC/4	LC/3
200-86-272	2001	Ramona McCoy	LC/4	LC/3
200-86-272	2002	Ramona McCoy	LC/4	LC/3
200-89-151	2000	Elinor Mikolas	LC/4	LC/3
200-89-151	2001	Elinor Mikolas	LC/4	LC/3
200-89-151	2002	Elinor Mikolas	LC/4	LC/3
207-19-545	2000	Robert Stikeleather	LC/4	LC/3
207-19-545	2001	Robert Stikeleather	LC/4	LC/3
207-19-545	2002	Robert Stikeleather	LC/4	LC/3
207-20-429	2000	Rachel Caylor	LC/4	LC/3
207-20-429	2001	Rachel Caylor	LC/4	LC/3
207-20-429	2002	Rachel Caylor	LC/4	LC/3
207-28-220	2000	Roger E Singer	LC/4	LC/3
207-28-220	2001	Roger E Singer	LC/4	LC/3
207-28-220	2002	Roger E Singer	LC/4	LC/3
211-51-005F	2000	Glen F Nichols	LC/4	LC/3
211-51-005F	2001	Glen F Nichols	LC/4	LC/3
211-51-005F	2002	Glen F Nichols	LC/4	LC/3

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215-36-132	2000	Estelle Hintz	LC/4	LC/3
215-36-132	2001	Estelle Hintz	LC/4	LC/3
215-36-132	2002	Estelle Hintz	LC/4	LC/3
216-67-246B	2000	Barbara Edmondson	LC/4	LC/3
216-67-246B	2001	Barbara Edmondson	LC/4	LC/3
216-67-246B	2002	Barbara Edmondson	LC/4	LC/3
218-35-916	2000	James Smithart	LC/4	LC/3
218-35-916	2001	James Smithart	LC/4	LC/3
218-35-916	2002	James Smithart	LC/4	LC/3
218-54-853	2000	Margaret MacEwan	LC/4	LC/3
218-54-853	2001	Margaret MacEwan	LC/4	LC/3
218-54-853	2002	Margaret MacEwan	LC/4	LC/3
220-54-049	2000	Arbara F Butler	LC/4	LC/3
220-54-049	2001	Arbara F Butler	LC/4	LC/3
220-54-049	2002	Arbara F Butler	LC/4	LC/3
230-04-291A	2000	Patricia E Lameyer	LC/4	LC/3
230-04-291A	2001	Patricia E Lameyer	LC/4	LC/3
230-04-291A	2002	Patricia E Lameyer	LC/4	LC/3
232-03-732	2000	Barbara Covert	LC/4	LC/3
232-03-732	2001	Barbara Covert	LC/4	LC/3
232-03-732	2002	Barbara Covert	LC/4	LC/3
232-04-526	2000	Virginia Bees	LC/4	LC/3
232-04-526	2001	Virginia Bees	LC/4	LC/3
232-04-526	2002	Virginia Bees	LC/4	LC/3
232-12-250	2000	Diane Perry	LC/4	LC/3
232-12-250	2001	Diane Perry	LC/4	LC/3
232-12-250	2002	Diane Perry	LC/4	LC/3
232-13-021	2000	Thomas Gurnett	LC/4	LC/3
232-13-021	2001	Thomas Gurnett	LC/4	LC/3
232-13-021	2002	Thomas Gurnett	LC/4	LC/3
232-22-605	2000	Truman D Langfield	LC/4	LC/3
232-22-605	2001	Truman D Langfield	LC/4	LC/3
232-22-605	2002	Truman D Langfield	LC/4	LC/3
301-55-557	2000	Evelyn L Roberts	LC/4	LC/3
301-55-557	2001	Evelyn L Roberts	LC/4	LC/3
301-55-557	2002	Evelyn L Roberts	LC/4	LC/3
301-65-100	2000	Lois Burch	LC/4	LC/3
301-65-100	2001	Lois Burch	LC/4	LC/3
301-65-100	2002	Lois Burch	LC/4	LC/3
303-57-083	2000	Betty Davis	LC/4	LC/3
303-57-083	2001	Betty Davis	LC/4	LC/3
303-57-083	2002	Betty Davis	LC/4	LC/3
305-05-769A	2000	Dorothy M McCarty	LC/4	LC/3
305-05-769A	2001	Dorothy M McCarty	LC/4	LC/3
305-05-769A	2002	Dorothy M McCarty	LC/4	LC/3
305-05-852A	2000	Beulah Zumwalt	LC/4	LC/3
305-05-852A	2001	Beulah Zumwalt	LC/4	LC/3
305-05-852A	2002	Beulah Zumwalt	LC/4	LC/3
505-31-131	2000	Edward Miller	LC/4	LC/3
505-31-131	2001	Edward Miller	LC/4	LC/3

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505-31-131 2002 Edward Miller LC/4 LC/3

PUBLIC COMMENT

No member of the public came forward to comment at this time.(ADM605)

SUPERVISORS' COMMENTS

Supervisor Wilson expressed appreciation for the two donations made to the branch libraries in El Mirage and Surprise. (ADM606)

Supervisor Kunasek said that since the last Board meeting Maricopa County and the State had lost a very good friend in Joe Foss, who died recently. Mr. Foss, a long-time personal friend of Supervisor Kunasek's family, has regularly donated much of his life to public service in various ways. These include his having been Governor of South Dakota, President of the NRA, a WWII veteran and he was also active in various charity and political money raising activities throughout the years. Supervisor Kunasek called him a "real American hero."

Chairman Brock notified the public that a Citizen's Task Force Advisory Committee had been formed to review the difficult financial situation at the Maricopa Integrated Health System. This Task Force will report back to the Board with their findings and recommendations on an ongoing basis, and have already begun their analysis.

~ Supervisor Wilcox entered the meeting at this time ~

PLANNING AND ZONING

David Smith left the dais at the end of this portion of the Board meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David Benton, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

- | | | |
|-----------|-------------------|--|
| 1. | S2002-022 | District 4 |
| | Applicant: | C.H.I. Incorporated on behalf of Continental Homes |
| | Location: | Northwest corner of Camelback Road and El Mirage Road (in the west Glendale/Litchfield Park area) |
| | Request: | Final Plat in the R1-6 R.U.P.D. and R1-7 R.U.P.D. districts for Wigwam Creek North Phase 2 (approximately 198 acres) |

Motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to approve this final plat.

REGULAR AGENDA DETAIL:

- | | | |
|-----------|-------------------|--|
| 2. | Z 97-009 | District 5 (This case continued from December 18, 2002.) - CONTINUED |
| | Applicant: | Greg Loper for Spencer Shumway |
| | Location: | The northwest and the northeast corners of 43rd Ave. and Broadway Rd. (in the Laveen area) |

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Request: Rezone from Rural-43 to IND-3 I.U.P.D. with a Plan of Development for industrial storage for Shumway (40 acres)

COMMISSION ACTION: Commissioner Harris moved to recommend approval of Z 97-009, subject to the following stipulations "a" through "m". Commissioner Barney seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development of the site shall be in conformance with the site plan consisting of six 11" x 17" sheets entitled "Shumway Industrial Storage – Zoning Exhibit/Plan of Development" prepared by Greg Loper, AICP, dated October 15, 2002 and stamped received October 15, 2002, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled "Narrative Report for the Shumway Industrial Storage... Z-97-9" preparer not indicated, consisting of nine (9) pages, dated revised October 15, 2002 and stamped received October 15, 2002, except as modified by the following stipulations.
- c. Prior to development of any new construction or placement of any new structures, a Floodplain Use Permit must be obtained from the Regulatory Division of the Flood Control District.
- d. Access on Weir Avenue shall be for emergency use only, with truck traffic prohibited except for emergency vehicles.
- e. Driveways shall be asphalt concrete or better within the County right-of-way and designed to accommodate the appropriate design vehicle.
- f. The applicant shall provide a six-foot (6') tall C.M.U. wall along the frontage of Broadway Road and Weir Avenue. The applicant shall further install landscaping along the road frontages to soften the appearance of said walls. Landscaping shall be of a xeriphytic nature with an emphasis on indigenous and near-native plant species. Any landscaping within County right-of-way will require a permit from the Maricopa County Department of Transportation, and must comply with Chapter 9 of the MCDOT Roadway Design Manual. The applicant shall also provide landscaping along the northern property line to provide a semi-opaque screen for the industrial uses from the Salt River at the time recreational/open space development occurs within the river.
- g. Sewer service shall be extended to all structures needing such service existing or proposed) upon approval of a Precise Plan of Development for any structure(s). Existing septic systems shall be eliminated at that time.
- h. All outdoor lighting fixtures must comply with Section 1112 of the Maricopa County Zoning Ordinance.
- i. All industrial storage shall observe a minimum 10' setback from the property lines, public rights-of-way, and on-site building/structures. Further, no storage materials shall be stacked higher than 10', and any such material shall be adequately screened from the Salt River, Broadway Rd. and Weir Ave. as indicated in stipulation 'f' above.

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- j. Major changes to this site plan will require review and approval by the Board of Supervisors, upon recommendation of the Planning and Zoning Commission. Staff of the Planning and Development Department, Project Management Division may administratively approve minor changes.
- k. As per the narrative report referenced in stipulation 'b' above, the following uses/materials are prohibited from the site:
 - i. Any use which by its nature or operation shall cause to occur noise, dust, traffic, glare, and/or vibrations which may be deemed a nuisance or harmful;
 - ii. Any use not considered to be in keeping with the intent and character of the proposed use, as an outdoor (open) storage of items and materials;
 - iii. Cemetery or Crematories;
 - iv. Commercial dairy or feed lot operations;
 - v. Kilns or similar operations;
 - vi. Landfill or waste dump;
 - vii. Manufacturing, treatment, refining, rendering or compounding of pharmaceuticals, fats, gases or oils;
 - viii. Mulching or contaminated soil recovery/processing;
 - ix. Packing houses for meats, fruits or vegetables;
 - x. Refinery;
 - xi. Sand and gravel extraction operations; and the.
 - xii. Storage of any materials that are deemed to be harmful to the environment and/or adjacent properties, including the storage of flammable liquids, noxious or hazardous materials.
- l. All freestanding signs are limited to a maximum height of six-feet (6') and a maximum sign face area of 48 square feet.
- m. Any change (major amendment) to the Plan of Development must be presented to the Laveen Village Planning Committee for review and comment prior to presentation to the Planning and Zoning Commission at a public hearing.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to continue this item to the February 5, 2003, meeting at the request of the Planning and Zoning Department.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
January 22, 2003**